IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 1764 (S/S) 2005

Chinta Mani Pathak S/o late Bhawani Dutt Pathak,
R/o Khurpia Farm Kichcha, P.O. Kichcha,
District- Udham Singh Nagar. .....Petitioner.

Versus

1. State of Uttarakhand through Secretary Education, Uttarakhand Sashan, Dehradun,
2. Director of Education, Uttarakhand, Dehradun,
3. Joint Director Education, Kumaun Kshetra, Nainital,
4. District Education Officer, U.S. Nagar,
5. Keshar Vidya Samittee through its Manager, Keshar Junior High School, Khurpia Agriculture Farm, Kichcha, District U.S. Nagar,
6. General Manager, Keshar Enterprises Baheri, Tehsil Baheri, District Bareilly. .....Respondents.

Sri M. C. Kandpal, learned Sr. Counsel for the petitioner,
Sri N.P. Sah, learned Standing Counsel for the State/respondent nos. 1 to 4, and
Sri V.B.S. Negi, Adv. for respondent nos. 5 & 6.

Hon'ble M.M. Ghildiyal, J.

Heard Sri M. C. Kandpal, learned Sr. Counsel for the petitioner, Sri N.P. Sah, learned Standing Counsel for the State/respondent nos. 1 to 4, and Sri Vikas Pandey, holding brief of Sri Vikas Pandey, Adv. for respondent nos. 5 & 6.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

i. Issue a writ, order or direction in the nature of mandamus commanding and directing to the respondent authorities to pay the gratuity, pension,

arrears of the balance salary and the bonus to the petitioner,

ii. Issue a writ, order or direction which this Hon'ble Court may think deem fit and proper in the circumstances of the case,

iii. Award the cost.

The respondent nos. 1 to 4 have filed their counter affidavit. In the counter affidavit they have stated that whatever amount was due towards the petitioner that has already been paid to him. The petitioner could not show as to what amount is remained to be paid to him and in which counts.

In view of the averments made in the counter affidavit, the writ petition is dismissed. No order as to costs.

(M.M. Ghildiyal, J.)

March 12, 2007:

NCM: